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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,)	No. CR-13-058 EMC
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE
v.)	
)	
RICARDO GARCIA ORTEGA,)	
Defendant.)	

The parties jointly request that, subject to the Court's approval, the status conference and/or change of plea hearing presently set for March 13, 2013 be continued to April 3, 2013 at 2:15 pm.

At the last appearance, the Court set the above-captioned matter over until March 13, 2013 for possible change of plea. Defense counsel has been investigating certain matters and has requested that government counsel consider an issue related to Mr. Garcia-Ortega's prior removal. The parties are in negotiations over a potential resolution of the matter in light of these issues, and require more time to complete those negotiations, as well as to further investigate the case. Accordingly, the parties jointly request that the appearance be continued from March 13,

1 2013 to April 3, 2013.

2 For the above reasons, the parties stipulate there is good cause – taking into account the
3 public interest in the prompt disposition of this case – to exclude the time February 28, 2013 to
4 April 3, 2013 from computation under the Speedy Trial Act, and that failing to exclude that time
5 would unreasonably deny the defendant and his counsel the reasonable time necessary for
6 effective preparation and continuity of counsel, taking into account the exercise of due diligence.
7 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). The parties further agree that the ends of justice would be
8 served by excluding the time from February 28, 2013 to April 3, 2013 from computation under
9 the Speedy Trial Act and that the need for the exclusion outweighs the best interests of the public
10 and the defendant in a speedy trial.

11 IT IS SO STIPULATED.

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3/11/13 _____
14 DATED

s/
15 MARK KANG
16 Special Assistant United States Attorney

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3/11/13 _____
20 DATED

s/
JODI LINKER
21 Assistant Federal Public Defender

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IT IS SO ORDERED.

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3/12/13
28 DATED

Stipulation & [Proposed] Order to Continue;
US v. Garcia-Ortega, Case No. 13-058 EMC

